

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

LUIS ACEVEDO GARCIA,
et al

PLAINTIFFS

VS.

CASE NO. 97-2639 (JP)

MUNICIPIO DE ADJUNTAS,
et al

DEFENDANTS

SUR - REPLY TO

“BRIEF REPLY TO DEFENDANTS MOTION”

TO THE HONORABLE COURT:

COMES NOW the Municipality of Adjuntas by the undersigned and respectfully **Sur-Reply to Defendants Motion dated August 18, 2006:**

1. Plaintiffs aver they will “strongly oppose any attempt to further delay the sheduled trial”
2. At first blush, the undersigned have, at no time in the past, nor at this time seek to delay trial.

3. The undersigned simply want to prepare for trial adequately and thoroughly so as to represent the Municipality of Adjuntas efficiently.

4. It is precisely the intention of the undersigned to avoid all delays in the prosecution of this matter.

5. At this time, the undersigned have no intention of announcing "New Witnesses".

6. However, we should point out that an ancient Pre-Trial memo should not be binding and further that the Pre-Trial memo can be amended, for good cause and with the approval of the court.

7. Pre-Trial memos are not and should not be a straight - jacket to the litigation.

8. Our research indicates that courts have allowed, without any reservations, the amending and/or updating of Pre-Trial memos, at all times, in the interest of justice.

9. We fail to understand the relevance of counsel (a) to provide a copy of the Pre-Trial memo and (b) to meet to updated it.

WHEREFORE it is most respectfully requested that Notice Be Taken of our reply and that such orders as are warranted be issued to the undersigned counsel.

In Ponce for San Juan, Puerto Rico this 22 of August 2006.

I hereby **CERTIFY** that on this date, I electronically filed the foregoing Notice & Motion with the Clerk of the Honorable Court using the CM/ECF system which will send notification of such filing to the following: and to Israel Roldan-González, Esq., 44 Progreso Street, Aguadilla, PR 00603, Lcda. Ana Margarida Julia, Dpartamento de Justicia, P.O. Box 9020192, San Juan, Puerto Rico 00902-0192.

RESPECTFULLY,

S /H arry R. S egarra

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